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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,584	08/28/2003	Diane Buske Ellis	PGI6044P1021US	7428

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WOOD, PHILLIPS, KATZ, CLARK & MORTIMER
500 W. MADISON STREET
SUITE 3800
CHICAGO, IL 60661

EXAMINER

COLE, ELIZABETH M

ART UNIT	PAPER NUMBER
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1771

DATE MAILED: 03/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/650,584	Applicant(s) ELLIS, DIANE BUSKE	
	Examiner Elizabeth M. Cole	Art Unit 1771	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

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1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oathout, U.S. Patent No. 5,459,912 in view of Meitner et al, U.S. Patent No. 4,328,279 and Wallis et al, U.S. Patent No. 6,645,930. Oathout discloses a clean room wipe made by a process of providing a first layer of polymeric staple fibers, a second layer of natural fibers and hydroentangling to form a composite fabric. The polymeric fibers can be thermoplastic fibers such as polyester, polypropylene or polyamide. See abstract and col. 2, line 50- col. 3, line 29. The natural fibers can be wood pulp or other plant fibers. See col. 4, lines 41-57. Oathout differs from the claimed invention because Oathout does not disclose that the wipe should have a sodium ion content of less than 45 ppm and that it should be rinsed with an acetic acid/water solution. Meitner et al teaches applying a treatment to clean room wipes in order to reduce the sodium ion content of the nonwoven wipe. See col. 2, lines 44-54. The sodium ion content can be 40 ppm, see Table II, cold water embodiment. Therefore, it would have been obvious to have applied the treatment of Meitner et al to the fabric of Oathout, motivated by the expectation that this would result in a wipe having a greatly reduced amount of sodium ions while still maintaining good wiping characteristics. Oathout differs from the claimed invention because it does disclose rinsing the fabric with acetic acid and water. Wallis et al teaches that clean room wipes can be rendered less flammable by rinsing the wipe

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with a solution of acetic acid and water. See abstract as well as col. 3, lines 43-50; col. 7, lines 15-36. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have rinsed the fabric of Oathout with the acetic acid/water solution of Wallis, motivated by the expectation that this would provide the wipe with protection against spontaneous combustion when the wipe was used to contain spills of alkaline products. See abstract.

3. Applicant's arguments filed 1/23/06 have been fully considered but they are not persuasive. Applicant argues that Meitner et al teaches a wipe comprising all synthetic fibers. However, the rejection does not require that the fiber composition of Meitner be used in the Oathout since Oathout already teaches the particularly claimed fibers. Oathout teaches a clean room wipe. Meitner also teaches a clean room wipe and teaches a method of improving a clean room by applying a treatment to the clean room wipe in order to reduce the sodium ion content of the wipe. Therefore, based on the teachings of the references it would have been obvious to have performed the treatment of Meitner on the clean room wipe of Oathout, motivated by the expectation that this would reduce the sodium ion content of the wipe. Also, it is noted that the comparative examples in Meitner also show that a synthetic fiber web, wiper A, has an even higher sodium ion content than the cellulosic web, wiper B. The comparative examples in Meitner show untreated wipes and compare various untreated wipes, (including woven, nonwoven, polymeric and cellulosic materials), with a single embodiment of the Meitner invention of the treated wipe. Therefore the examiner does not agree that Meitner teaches away from the claimed invention since Meitner teaches that the untreated

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wipes across the board have high sodium ion content. Additionally, as stated above, Oathout already teaches the particularly claimed fibers and therefore the only modification required is to perform the treatment taught by Meitner. Therefore the rejection is maintained.

4. With regard to Wallis et al, Applicant argues that there is no teaching that the acetic acid/water solution would reduce the sodium ion content. However, both Oathout and Wallis are drawn to clean room wipes. The motivation to combine the teachings of Wallis and Oathout is found in the Wallis reference which teaches that the rinse of Wallis protects the wipe from spontaneous combustion when the wipe was used to contain spills of alkaline products. Therefore the motivation to make the combination is found in the Wallis reference. It is not necessary that the motivation to combine the teachings of the references be the same as Applicant's motivation.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

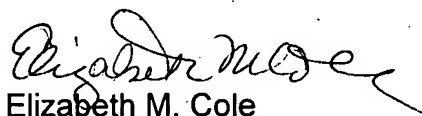
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth M. Cole whose telephone number is (571) 272-1475. The examiner may be reached between 6:30 AM and 6:00 PM Monday through Wednesday, and 6:30 AM and 2 PM on Thursday.

Mr. Terrel Morris, the examiner's supervisor, may be reached at (571) 272-1478.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

The fax number for all official faxes is (571) 273-8300.


Elizabeth M. Cole
Primary Examiner
Art Unit 1771

e.m.c